IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO.114 OF 2004

Bhagwan Kashinath Khadkikar. .. Petitioner.

Vs.

R.C.Joshi Principal Secretary
to the Govt.of Maharashtra & Ors. .. Respondents

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Shri Ashok Toraskar for the petitioner.

Shri N.P.Deshpande, AGP for respondents.

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CORAM : R.M.S.KHANDEPARKAR, J

DATED : 23rd NOVEMBER, 2004.

P.C.

1. Heard. The grievance of the petitioner is that inspite of the order passed by the Division Bench on 3rd April, 2003 in Writ Petition No.6942 of 2002 directing the respondents to decide the application of the petitioner, the respondents have wrongly disposed the application filed by the petitioner. Though the application was filed seeking employment as Project Affected Person, the respondents have communicated their order by letter dated 21st October, 2004 as sought to confuse the issue involved in the matter and have illegally refused to grant appointment to the

petitioner. It is also sought to be contended that there was delay in taking the said decision and the petitioner is not satisfied with the said communication, and therefore, he wants to file further affidavit in the matter.

2. Once it is clear that the respondents have disposed of the application filed by the applicant, rightly or wrongly, it amounts to compliance of the order dated 3rd April, 2002 passed in the Writ Petition No.6942 of 2002. In case the petitioner is aggrieved by the said decision, remedy for him lies somewhere else and not by way of contempt petition. Once it is made clear to this Court that in view of the directions issued by the Division Bench in the said Writ Petition, the respondents have taken decision, propriety or legality of the said decision cannot be gone into in the contempt petition. Viewed from this angle, therefore, there is no scope for proceeding with the matter or allowing the petitioner to file further affidavit in the matter. Hence, the contempt petition is disposed of and the proceedings are accordingly dropped. The notice stands discharged.